



**Adopted Minutes of the Adjourned
Lompoc Planning Commission
Wednesday, December 14, 2022 at 6:30 P.M.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL:

Commissioner Federico Cioni – Chair
Commissioner Augusto Caudillo (Absent)
Commissioner Dan Badertscher
Commissioner Brianna Gonzales
Commissioner Steve Bridge

COUNCIL LIAISON:

Mayor Jenelle Osborne

STAFF:

Brian Halvorson, Planning Manager
Brian Wright-Bushman, Assistant City Attorney
Camri Smith, Development Services Assistant

ORAL COMMUNICATIONS (3 Minutes Maximum):

CONSENT CALENDAR: none.

PUBLIC HEARING ITEMS:

Public Hearing Item No. 1:

1. **Planning Commission recommendations to the City Council for consideration of the adoption of amendments to regulations pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units, TA 22-02 (Continued from November 9, 2022).**

Planning Commission consideration of amendments to Lompoc Municipal Code Sections 17.208.030.A (Residential Zones Allowed Uses), 17.308.040.A (Parking Requirements), 17.324.020 (Applicability), 17.404.020 (Accessory Dwelling Units), 17.512.020 (Applicability), 17.704.020.A (Terms), and 17.708.020.D (Residential Use Types) to update local zoning regulations for compliance with State Law pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units. This action is exempt from California Environmental Quality Act (CEQA) review pursuant to Public Resources Code Section 21080.17.

Brian Halvorson, Planning Manager, presented the proposed amendments in a PowerPoint presentation.

Commissioner Gonzales inquired if JADUs can be a detached structure.

Brian Halvorson, Planning Manager stated it is a California State requirement that JADUs cannot be a detached structure.

Brian Wright-Bushman, Assistant City Attorney stated that a regular ADU can be a detached structure, but JADUs cannot. JADUs do not require their own bathroom however, if they do not have their own bathroom, they require an internal entrance to the main dwelling.

Commissioner Gonzales inquired if JADUs and ADUs can be built concurrently or does one need to be built before the other.

Mr. Wright-Bushman stated that they can be built concurrently and there is no order in which they need to be built.

Mr. Halvorson added that new construction of either an ADU or JADU must pass inspection before anyone can move into these units but the inspection for the main dwelling unit must be approved before occupation of an ADU or JADU.

Commissioner Badertscher inquired how would it work for an ADU to be sold separately from the lots primary dwelling.

Mr. Halvorson stated that a Housing Authority or Housing Agency would be able to do this, or a non-profit, but certain parameters would have to be met. Mr. Halvorson stated that from a real-estate perspective, he is unaware of how that process would work, but that the State wanted that provision in the updated amendments.

Commissioner Badertscher inquired if the main dwelling unit and an ADU run off the same utility line, then are sold separately, would separate utility lines then be required for the two units.

Mr. Wright-Bushman stated that staff would need to inquire with the Building Official regarding this type of configuration.

Commissioner Bridge commented that the proposed parking requirements for ADUs will only affect a small portion of the city's population.

Mr. Wright-Bushman clarified that the regulations state you cannot require more than one parking spot for an ADU and JADUs do not require parking. Furthermore, if the City wants to remove the requirement for parking for ADUs they can do so. State Law also states that if an attached garage is converted into an ADU, you do not need to replace the parking, however, if you convert the garage into a JADU, the parking would need to be replaced.

Open Public Comment for TA 22-02

Nicholas Gonzales, a resident, stated that Staff has done an excellent job at cleaning up the ordinance to be in compliance with the State, and stated the changes are good.

Close Public Comment for TA 22-02

Commissioner Bridge stated he does not agree with only requiring a small percent of the city's population to require parking for ADUs.

Mr. Wright-Bushman stated that the City is able to waive the parking requirement.

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Cioni**, that the **Commission** adopt Resolution No. 978 (22) recommending that the City Council approve amendments to regulations pertaining to Accessory Dwelling Units and Junior Accessory Dwelling Units (TA 22-02) with the following revisions:

- Two edits which would not require parking for ADUs even if a property is not located within ½ mile walking distance of public transit, and a requirement that, in the event an ADU is separately sold, a separate utility connection (including but not limited to water, sewer, electric, and gas) between the unit and utility would be required.

VOTE: The motion passed on a voice vote of 4-0-1 with **Commissioner Caudillo** being absent.

Public Hearing Item No. 2:

2. Receive input and direction from the Commission regarding options to allow Cannabis distribution in the Planned Commercial District (PCD) zone.

The Planning Commission will receive a report from staff and provide input to the City Council regarding several options to consider allowing cannabis distribution in the Planned Commercial District (PCD) zone.

Brian Halvorson, Planning Manager, gave a PowerPoint presentation to the Commission summarizing options for the Commission to consider.

Commissioner Cioni inquired if it would be costly to amend the code to not allow Cannabis distribution within the PCD zone, even with a CUP.

Mr. Halvorson stated that it would not be costly, additional verbiage would need to be added to the code, and an exemption from further environmental review could be considered.

Open Public Comment for Public Hearing Item No. 2

Nicholas Gonzales, a resident, stated that a vast majority of properties may not permit these types of Cannabis operations in their zone anyways due to Covenants, Conditions, and Restrictions. Mr. Gonzalez stated that this information may want to be considered before the City spends money on changing any regulations.

Close Public Comment for Public Hearing Item No. 2

Commissioner Cioni stated that cannabis distribution centers do not fit the general feel of these existing commercial areas.

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Badertscher**, that the **Commission** recommends prohibiting cannabis distribution within the Planned Commercial Development zone, even with a CUP.

VOTE: The motion passed on a voice vote of 4-0-1 with **Commissioner Caudillo** being absent.

NEW BUSINESS: None

ORAL COMMUNICATIONS (3 Minutes Maximum): None.

WRITTEN COMMUNICATIONS: None.

APPROVAL OF MINUTES:

MOTION: It was moved by **Commissioner Bridge**, seconded by **Commissioner Cioni** that the **Commission** adopt the November 9, 2022 minutes.

- With additional comments from **Commissioner Bridge** added to Public Hearing Item No. 2 DR 22-04.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Caudillo** being absent.

DIRECTOR/STAFF COMMUNICATIONS:

Brian Halvorson, Planning Manager, provided updates to **Commission** on the following items:

- **Mr. Halvorson** gave an update on the information and the application of the required RHNA Buffer. **Mr., Halvorson** stated that buffer does apply to the above moderate-income category.
- **Mr. Halvorson** gave an update on upcoming Environmental Justice Element Public Engagement. There will be a Market Pop-Up Event at the Outdoor Community Market held on January 21, 2023, and a Community Workshop will be held on January 30, 2023 at Lompoc High School.
- **Mr. Halvorson** stated that some Planning Commissioners had upcoming Expiration of Terms (December 31, 2022) including Commissioner Cioni, Commissioner Gonzales, and Commissioner Badertscher. **Mr. Halvorson** stated that a re-submittable of their application is required.

- **Mr. Halvorson** stated that on December 6, 2022, the City Council requested Ad Hoc Committee Comments on General Plan Updates be brought back to City Council for review. **Mr. Halvorson** stated these comments would be brought back to the Planning Commission for review as well.
- **Mr. Halvorson** noted that there are no scheduled items for the Wednesday, January 11, 2023, Planning Commission meeting. The Commission had no objections to canceling the meeting. The next regularly scheduled Planning Commission Meeting will be held on February 8, 2023, at 6:30 P.M. in the City of Lompoc Council Chambers.

COMMISSION REQUESTS:

Commissioner Bridge requested discussion of potential zoning code amendments related to historical buildings be brought to the next meeting.

ADJOURNMENT:

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Gonzales**, to adjourn the meeting at 7:52 P.M. and adjourn to a Regular Meeting at 6:30 p.m. on Wednesday, February 8, 2023, at 6:30 P.M. in the City of Lompoc Council Chambers.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Caudillo** being absent.



Brian Halvorson
Secretary



Federico Cioni
Chair